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DEPARTMENT FOR NEA/ELA, NSC FOR SINGH AND WATERS

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SUBJECT: ANOTHER EGYPTIAN COURT RULES AGAINST MILITARY TRIBUNALS FOR THE MUSLIM BROTHERHOOD

REF: A. CAIRO 1361
[B.](#) CAIRO 2683

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¶1. (SBU) Following on three previous rulings by other courts, another Egyptian civil court has ruled against the GOE's use of military tribunals against the Muslim Brotherhood (MB). On September 10, the Cairo Court of Summary Jurisdiction reportedly rejected the Egyptian government's appeal of a May 8 court ruling that had overturned the February presidential decree ordering 40 MB members to stand before a military tribunal. The court's ruling upheld the Supreme Administrative Court's May decision in favor of the MB's position (ref A), and ruled that the 40 defendants should be tried before a civilian court, rather than military tribunals.

¶2. (SBU) The MB military tribunals began on April 26, and have continued sporadically since then. The charges against the 40 MB members (only 33 of whom are in custody; the other seven are being tried in absentia) reportedly include money laundering and planning terrorist actions in support of the MB. The MB members in custody include several senior members of the group, including the MB's third highest-ranking official, Second Deputy Supreme Guide Khairat Al Shatir. The September 10 ruling was the fourth civil court decision against the government regarding the MB military trials, spurred by a flurry of lawsuits the MB has filed disputing the legality of the presidential decree mandating military tribunals. The other rulings were:

- On January 29, the Cairo Criminal Court dismissed all charges against 16 of the defendants (including Khairat al Shatir);
- On April 24, the North Cairo Felonies Court ruled that 11 of the defendants be released (including al Shatir);
- On May 8, the Supreme Administrative Court overturned the presidential decree sending the MB members to military trials, ruled that all the detainees be released immediately, and be compensated for their time in detention.

¶3. (SBU) As of September 17, the MB detainees reportedly are still in detention, and there is no expectation that they will be released. The GOE will undoubtedly appeal the September 10 ruling, and in the interim, the military tribunals will continue.

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